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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/751,008	12/31/2003	Maria Theresa Barnes Leon	384818045US1	5533
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EXAMINER

MISIASZEK, MICHAEL

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/751,008	Applicant(s) BARNES LEON ET AL.	
	Examiner Michael Misiaszek	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-8 and 11-27 is/are pending in the application.
- 4a) Of the above claim(s) 3, 11 and 17-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-8, 12-16 and 24-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/14/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's arguments filed on 5/25/2006 have been received and reviewed. The status of the claims is as follows:

Claims 3-8 and 11-27 are pending. Claims 3, 11, and 17-23 have been withdrawn from consideration by the applicant.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rappoport (US 6,828,963 B1) in view of Sellers et al. (US 5311438, hereinafter Sellers).

Regarding claim 24 and related claim 26, Rapport teaches a method and medium in a computing system for managing products, the method comprising: extracting product management information in a first form that is associated with a first source computerized product management system; converting the product management information in the first form into product management information that is in a second

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intermediate form; and converting the product management information in the second intermediate form into product management information in a target form that corresponds to a target computerized product management system (see at least Abstract, Col 4, lines 63 – 67, Col 5, lines 1 – 11 and Figure 4). Please note that phrase(s) “product management” is considered to be non-functional descriptive material and thereby is given little patentable weight (MPEP 2106). The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant’s invention from Rappoport, which achieves the same results of the recited method. Thereby, the non-fictional descriptive material (i.e. descriptive material) is directed only to the description of the information and medium and does not affect either the structure or method/process of Rappoport, which leaves the method and system unchanged.

While Rappoport does disclose CAD models and associated information systems, which are synonymous with a product and product information systems, the references does not specifically disclose product management system.

Sellers teaches that it is known to include a product management system naming convention (at least column 8, lines 35-45) in a similar design environment. It would have been obvious to one of ordinary skill in the art have extended the method and

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medium of Rappoport with a naming convention of product management system, as taught by Sellers. Rappoport discloses the claim limitations recited in claim 24.

Therefore, one of ordinary skill in art would have been motivated to extend the method and medium of Rappoport with the naming convention to product management, as taught by Sellers, and thereby provided a product development system that is integrated within the manufacturing system (at least column 2, lines 49-60 of Sellers).

Regarding claim 25 and related claim 27, Rappoport teaches a method and medium, further comprising: using the product management information in the target form to perform at least one computer-implemented act from a set of computer-implemented acts comprising: creating a new product record in the target computerized product management system; and updating an existing product management record in the target computerized product management system (Col 5, lines 36 – 46).

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Claims 4 – 10 and 12 - 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rappoport as applied to claims 24 and 26 above, and further in view of “PTC: Siebel Systems and PTC create strategic alliance to leverage enriched information across product development, sales and service; Combination of Siebel eBusiness Applications and PTC Collaborative Product Development solutions to deliver competitive advantage”; M2 Presswire; Coventry; Jan 24, 2002 and hereafter referred to collectively as “PTC”.

Rappoport substantially discloses and teaches the applicant's invention.

Regarding claim 4 and related claim 12, PTC teaches a method and medium, wherein the product common object model includes a list of product elements for defining a hierarchy of data elements, wherein the hierarchy of data elements includes a plurality of product elements which include other elements (See at least Page 1 and Page 2, Para 4 – 5).

Regarding claim 5 and related claim 13, PTC teaches a method and medium, wherein each of the plurality of product elements includes one or more elements selected from a group comprising: a product identifier; a product base data element; a product sales data element a product configuration data element; a related product line element for defining a product line element; a product list of price type element for defining a plurality of product price type elements; a product list of related inventory location

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element for defining a plurality of product related inventory location elements for the product; a list of related product element for defining a plurality of related product elements; a product list of related business unit element for defining a product related business unit element; and a product custom data element (Page 2, Para 4-6). Please note that these product elements are and corresponding elements are considered to be stored data. In that regard, the stored data including product elements such as product identifier is considered to be non-functional descriptive material (MPEP 2106). The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from PTC or Rappoport, which achieves the same results of the recited method. Thereby, the non-fictional descriptive material is types of stored data (i.e. product identifier –which is stored data) is directed only to the description of the stored information and does not affect either the structure or method/process of PTC and Rappoport, which leaves the method and system unchanged.

Regarding claim 6 and related claim 14, PTC teaches a method, wherein the product base data element includes one or more elements selected from a group comprising: a product category code element; a product description element; an product effective end date element for defining a product's effective validity end date; an product effective start date element for defining a product's effective validity start date; a global product identifier element; a global product classification code element; a global product serial

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identifier; a global product special handling code element; a product name element; a product number element; a product part number element; a product status code element; a product type code element; a product unit of measure code element; and a product vendor part serial number element (Page 1 and Page 2, Para 4 – 6). Please note that PTC does not specifically disclose a product description element. However, PTC does disclose PTC's product development and is well known to one of ordinary skill in the art to have included these data elements such as product description and thereby one of ordinary skill in the art would have been motivated to extend the method and medium of PTC with data element such as product description.

Regarding claim 7 and related claim 15, PTC teaches a method medium, wherein the product sales data element includes one or more elements selected from a group comprising: a product field replaceable flag; a product lead time element; a product maximum order quantity element; a product minimum order quantity element; a product revision number element; a product orderable flag; a sales product flag; a service product flag; a service instance flag; and a serialized product flag. Please notes that PTC does not specifically disclose sales data element such as a sales product flag. However, PTC does disclose CRM provider Siebel, which it is well known that it would have provided this data element. Therefore, it would have been obvious to extend the method and medium of PTC with Sales based information system to have provided the capability to include a sales data element such as sales product flag.

Regarding claim 8 and related claim 16, PTC teaches method and medium, wherein the product configuration data element includes a product configuration flag and a product

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related class element that is specific to a product; the product line element includes a product line identifier, a product line base data element and a product line custom data element, wherein the product line base data element includes: a product line description element; and a product line name element; each of the plurality of product price type elements includes a product price type code element; each of the plurality of product related inventory location elements for the product includes a product inventory location identifier and a product inventory data element for the product, wherein the product inventory data element for the product includes one or more elements selected from: a product inventory location classification data element, wherein the product inventory location classification data element includes one or more elements selected from: a product movement class code element; and a product value class code element; and a product inventory location stocking data element, wherein the product inventory location stocking data element includes one or more elements selected from: a product allocate below safety stock level flag; a product auto substitute flag; a product auto allocate flag; a product maximum inventory level element; a product minimum inventory level element; and a product safety stock level element; each of the plurality of related product elements includes one or more elements selected from: a related product identifier; a related product name element; a related product number element; and a related product type code element; and the product related business unit element includes a product organization identifier and a product business unit data element, wherein the product business unit data element includes a product sales unit of measure code element (Pages 1 and 2).

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It would have been obvious to one of ordinary skill in the arts to have provided the method and medium of Rappoport with the method and medium of PTC to have provided the claim limitations as recited in claims 4 – 8 and 12 - 16 above. Rappoport discloses the applicant's invention as recited in claim 1. PTC discloses and teaches one of ordinary skill in the art the limitations as recited in claims 4 – 8 and 12 - 16.

Therefore, one of ordinary skill in the art would have been motivated to extend the method and system of Rappoport with the limitations including product elements such as product sales data and associated elements. In this manner as with any product data base storing and element linkage, corresponding and required elements are stored and can be retrieved in the correct linkage to assure timely and accurate product data element are presented to a user's query.

Response to Arguments

Applicant's arguments filed 5/25/2006 have been fully considered but they are not persuasive.

In response to applicant's argument that Rappoport is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Rappoport and the present claimed invention solve substantially the same problem of the modification of data models and the conversion of these data models from one system to another. Though Rappoport is not in the exact field of applicant's

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endeavor, since Rappoport is pertinent to the same problem, it is considered analogous art and is appropriately cited.

Applicant has adequately traversed Examiner's taking of Official Notice in accordance with MPEP 2144.03 (C). Accordingly, the Examiner has provided a reference, Sellers, to support the Official Notice. The Sellers reference has been incorporated into the 35 USC § 103 rejection of Claims 24-27. If the examiner adds a reference in the next Office action after applicant's rebuttal, and the newly added reference is added only as directly corresponding evidence to support the prior common knowledge finding, and it does not result in a new issue or constitute anew ground of rejection, the Office action may be made final. (MPEP 2144.03)

Applicant's arguments regarding claims 4-8 and 12-16 have been fully considered but they are not persuasive. Applicant asserts that these dependent claims are allowable for the same reasons that independent claims 24 and 26 are allowable. Since claims 24 and 26 were not found to be allowable by the Examiner, neither are the dependent claims, 4-8 and 12-16.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

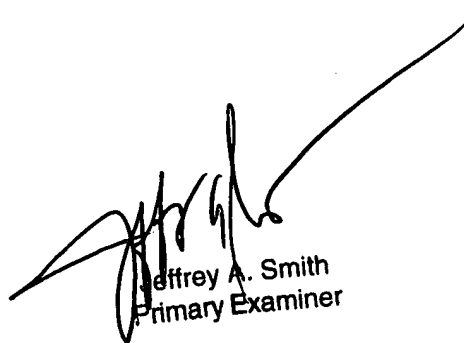
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Misiaszek whose telephone number is (571) 272-6961. The examiner can normally be reached on 8:00 AM - 4:30 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael A. Misiasek
Patent Examiner
6/30/2006



Jeffrey A. Smith
Primary Examiner